BILL NO. Z-80-07-12

ZONING MAP ORDINANCE NO. Z-23-80

AN ORDINANCE amending the City of Fort Wayne Zoning Map Nos. K-2 and L-2.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an R-2 District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana 1974; and the symbols of the City of Fort Wayne Zoning Map Nos. K-2 and L-2, referred to therein, established by Section 33-11, of said Chapter are hereby changed accordingly, to-wit:

> Lots 677 thru 682, 685 thru 693, 695 thru 712 and 721 thru 730 in Samuel Hanna's Addition, "Plat B" Western Division; Lots 1 thru 4 in City Subdivision; Lots 7 thru 13 in Chipman's Addition; Lot 1 McMakin's Addition; Lots 1 thru 4 in Scott's Subdivision; Lots 1 thru 5, 12 thru 21 and 29 thru 32 in Ayers Addition; Lots 1 thru 10 in Jones Addition; Lots 1 thru 6 and 15 and 16 in Swinney Park Place Addition; Lots 1 thru 4 in Garden Place Addition; Lots 55 thru 66 & 68 thru 85 in Rockhill and Nelson's Addition and Lots 1 thru 4 in Underhill's Subdivision.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

[signature]
COUNCILMAN

APPROVED AS TO FORM AND LEGALITY JULY 3, 1980.

[signature]
JOHN E. HOFFMAN
City Attorney

Read the first time in full and on motion by Eisbart, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee Regulations (and the City Plan Commission for recommendation) and ~~Public Hearing~~ to be held after due legal notice, ~~at the Council Chambers, City-County~~ Building, Fort Wayne, Indiana, on ______, the ______ day of ______, 19___, at ______ o'clock ___ M.,E.S.T.

DATE: 7-8-80

CHARLES W. WESTERMAN
CITY CLERK

Read the third time in full and on motion by Eisbart, seconded by GiaQuinta, and duly adopted, placed on its passage. PASSED ~~(LOST)~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	8			1	
BURNS	✓				
EISBART	✓				
GiaQUINTA	✓				
NUCKOLS	✓				
SCHMIDT, D.	✓				
SCHMIDT, V.	✓				
SCHOMBURG	✓				
STIER				✓	
TALARICO	✓				

DATE: 9-23-80

CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) ~~(GENERAL)~~ ~~(ANNEXATION)~~ ~~(SPECIAL)~~ (APPROPRIATION) ORDINANCE ~~(RESOLUTION)~~ No. Z-23-80 on the 23rd day of September, 19 80.

ATTEST: (SEAL)

CHARLES W. WESTERMAN - CITY CLERK

Vivian G. Schmidt
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of September, 19 80, at the hour of 2:30 o'clock P M.,E.S.T.

CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 26th day of Sept 19 80, at the hour of 4 o'clock P M.,E.S.T.

WINFIELD C. MOSES, JR.
MAYOR

BILL NO. Z-80-07-12

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN ORDINANCE amending the City of Fort Wayne Zoning Map Nos. K-2 and L-2

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE Do PASS.

BEN EISBART, CHAIRMAN	Ben Eisbart
JOHN NUCKOLS, VICE CHAIRMAN	
JAMES S. STIER	Jim Stier
SAMUEL J. TALARICO	Samuel J. Talarico
DONALD J. SCHMIDT	D J Schmidt

CONCURRED IN

DATE 9-23-80 CHARLES W. WESTERMAN, CITY CLERK

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 8, 1980, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-80-07-12; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 18, 1980;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

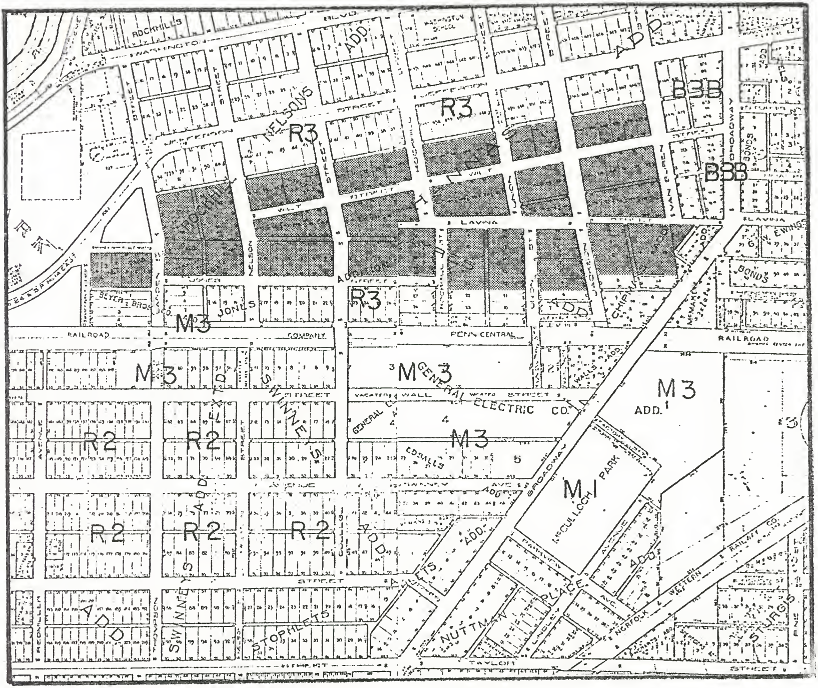
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 25, 1980.

Certified and signed this
29th day of August 1980.

W. Joyce Schlatter

Joyce Schlatter
Secretary



REQUEST TO REZONE FROM R3 TO R2 ZONING

Map No's K2 & L2

Z-80-07-12

N

PREPARED BY RK

DATE 3-26-80

PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. ____________________

THIS IS TO BE FILED IN DUPLICATE

DATE FILED ____________________

INTENDED USE ____________________

I/We WEST CENTRAL NEIGHBORHOOD ASSOCIATION
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an R-3 District to a/an R-2 District the property described as follows:

Lots 677 thru 682, 685 thru 693, 695 thru 712 and 721 thru 730 in Samuel Hanna's Addition, "Plat B" Western Division; Lots 1 thru 4 in City Subdivision; Lots 7 thru 13 in Chipman's Addition; Lot 1 McMakin's Addition; Lots 1 thru 4 in Scott's Subdivision; Lots 1 thru 5, 12 thru 21 and 29 thru 32 in Ayers Addition; Lots 1 thru 10 in Jones Addition; Lots 1 thru 6 and 15 and 16 in Swinney Park Place Addition; Lots 1 thru 4 in Garden Place Addition; Lots 55 thru 66 & 68 thru 85 in Rockhill & Nelson's Addition & Lots 1 thru 4 in Underhill's Subdivision.

(Legal Descrption) If additional space is needed, use reverse side.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

(Name)	(Address)	(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by ____________________.

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or requst that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinanc being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at whicl it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matte for hearing before the City Plan Commission. (FILING FEE $50.00)

Name and address of the preparer, attorney or agent.

Alan Hofer	1212 Rockhill	422-7806
(Name)	(Address & Zip Code)	(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearin approximately ten (10) days prior to the meeting.

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

29 August 1980

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held August 25, 1980. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

1. Bill No. Z-80-07-12

2. From R-3 to R-2

3. Intended Use: Neighborhood Down Zoning (West Central)

4. Plan Commission Recommendation: DO PASS

   This ordinance received a DO PASS recommendation for the following reason:

   a. The rezoning of this property will aid in the stabilization of a viable residential neighborhood.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING

Gary F. Baeten (pb)

Gary F. Baeten
Senior Planner

GFB:pb

Admn. Appr. ____________

DIGEST SHEET

TITLE OF ORDINANCE Zoning Ordinance Amendment Z-80-07-12

DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&P

SYNOPSIS OF ORDINANCE Bounded by the South side of Swinney Park Place Add., & the E/W alley south of Jefferson Street on the North; the West side of VanBuren Street & Lot #1 of McMaken's Addition on the East; the first alley south of Lavina, the south line of Lot #5, 12 & 21 of Ayer's Addition, the North side of Jones and the E/W alley south of Swinney Park Place North on the South; and the East side of Swinney Park Place west and the East side of Garden Street on the West.

EFFECT OF PASSAGE Property is now zoned R-3 - Multiple Family Residential. Property will become R-2 - Two Family Residential.

EFFECT OF NON-PASSAGE Property will remain R-3 - Multiple Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) ____________

(ASSIGN TO COMMITTEE (J.N.) Regulations

OFFICE OF THE CITY CLERK
THE CITY OF FORT WAYNE
CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802
Charles W. Westerman, Clerk -:- Room 122

September 30, 1980

Ms. Virginia Grace
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of October 4, 1980 and October 11, 1980, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council of Fort Wayne, IN

Zoning Map Ordinances:

Bill No. Z-80-07-12
Zoning Map Ordinance Z-23-80

Bill No. Z-80-07-12
Zoning Map Ordinance Z-24-80

General Ordinance No. G-18-80
Bill No. G-80-07-31
Vacating portion of Yale Drive

Please send us 12 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

Charles W. Westerman
Charles W. Westerman
City Clerk

CWW/ne
ENCL: 1

LEGAL NOTICE

Notice is hereby given that on the 23rd day of September, 1980, the Common Council of the City of Fort Wayne, Indiana in Regular Session did pass the following Bill No. Z-80-07-12 -- Bill No. Z-23-80, being AN ORDINANCE amending the City of Fort Wayne Zoning Map Nos. K-2 and L-2

Notice is hereby given that on the 23rd day of September, 1980, the Common Council of the City of Fort Wayne, Indiana in Regular Session did pass the following Bill No. Z-80-07-13 -- Bill No. Z-24-80, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. R-14

Notice is hereby given that on the 23rd day of September, 1980, the Common Council of the City of Fort Wayne, Indiana in Regular Session did pass the following Bill No. G-80-07-31 -- G-18-80, being AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive ("Master") Plan by vacation a portion of Yale Drive

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill No. G-80-07-31 -- General Ordinance No. G-18-80; Bill No. Z-80-07-13 -- Zoning Map Ordinance No. Z-24-80 and Bill No. Z-80-07-12 -- Zoning Map Ordinance No. Z-23-80, were duly passed by the Common Council on the 23rd day of September, 1980, said Ordinances were duly signed and approved by the Mayor on the 26th day of September, 1980, and now remains on file and on record in my office.

Copy of Bill No. G-80-07-31 -- General Ordinance No. G-18-80, Bill No. Z-80-07-13 -- Zoning Map Ordinance No. Z-24-80 and Bill No. Z-80-07-12 -- Zoning Map Ordinance No. Z-23-80, will be posted for reading in the following places in Fort Wayne, Allen County, Indiana.

(1) The main floor lobby of the City-County Building

(2) The bulletin board in the lobby of the Downtown Fort Wayne Public Library

(3) The bulletin board in the lobby at the East door of the Allen County Court House

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(2) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana, Room 122, City-County Building, Fort Wayne, Indiana

Charles W. Westerman

Charles W. Westerman, City Clerk

I, Charles W. Westerman, Clerk of theCity of Fort Wayne, Indiana fufilled and posted the above ordinances in the designated places as stated on October 4, 1980.

Charles W. Westerman

Charles W. Westerman, City Clerk

Form Prescribed by State Board of Accounts

General Form No. 99 P (Rev. 1967)

Fort Wayne Common Council
(Governmental Unit)

Allen County, Ind.

To JOURNAL-GAZETTE Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display	Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) – number of equivalent lines	
Head	number of lines	
Body	number of lines	80
Tail	number of lines	2
	Total number of lines in notice	82

COMPUTION OF CHARGES

82 lines, 1 columns wide equals 82 equivalent lines at 253¢ cents per line $ 20.75

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two) 10 extra 5.00

TOTAL AMOUNT OF CLAIM. $ 25.75

DATA FOR COMPUTING COST

Width of single column 9.6 picas — Size of type 6 point

Number of insertions 2 — Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same ha

Da

Arvilla DeWald

Title CLERK

RE

LISHER'S AFFIDAVIT

ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city / town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two, the dates of publication being as follows:

10/4 - 10/11/80

Arvilla DeWald

Subscribed and sworn to before me this 11th day of October 19 80

Notary Public

My commission expires September 28, 1983

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CHARLES W. WESTERMAN
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana fulfilled and posted the above ordinances in the designated places as stated on October 4, 1980.

CHARLES W. WESTERMAN
City Clerk

10—4-11

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I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Arvilla DeWald

Date Oct. 11, 19 80 — Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city/town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two, the dates of publication being as follows:

10/4 - 10/11/80

Arvilla DeWald

Subscribed and sworn to before me this 11th day of October 19 80

Notary Public

My commission expires September 28, 1983

RE

Mayor on the 26th day of September, 1980, and now remains on file and on record in my office.

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10—4-11

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ALLEN County SS:

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Harry J. Owen
Notary Public

My commission expires September 28, 1983

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Fort Wayne Common Council
(Governmental Unit)

Allen County, Ind.

To JOURNAL-GAZETTE Dr.

FORT WAYNE, INDIANA

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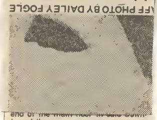

town Library
(2) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana, Room 122, City-County Building, Fort Wayne, Indiana
CHARLES W. WESTERMAN
City Clerk
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana fulfilled and posted the above ordinances in the designated places as stated on October 4, 1980.
CHARLES W. WESTERMAN
City Clerk
10—4-11

Form Prescribed by State Board of Accounts

General Form No. 99 P(Rev. 1967)

Fort Wayne Common Council
(Governmental Unit)

Allen County, Ind.

To NEWS-SENTINEL Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) – number of equivalent lines	
Head number of lines	
Body number of lines	80
Tail number of lines	2
Total number of lines in notice	82

COMPUTION OF CHARGES

82 lines, 1 columns wide equals 82 equivalent lines at .253¢ cents per line $ 20.75

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two) 10 extra 5.00

TOTAL AMOUNT OF CLAIM. $ 25.75

DATA FOR COMPUTING COST

... column 9.6 picas Size of type 6 point

... 2 Size of quad upon which type is cast 6

Pursua... of Ch. 89., Acts 1967.

I hereb... nt is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has bee...

D Roose

Date ... Title CLERK

Notice is hereby given that on the 23rd day of September, 1980, the Common Council of the City of Fort Wayne, Indiana in Regular Session did pass the following Bill No. Z-80-07-12 — Bill No. Z-23-80, being AN ORDINANCE amending the City of Fort Wayne Zoning Map Nos. K-2 and L-2

Notice is hereby given that on the 23rd day of September, 1980, the Common Council of the City of Fort Wayne, Indiana in Regular Session did pass the following Bill No. Z-80-07-13 — Bill No. Z-24-80, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. R-14.

Notice is hereby given that on the 23rd day of Ssptember, 1980, the Common Council of the City of Fort Wayne, Indiana in Regular Session did pass the following Bill No. G-80-07-31 — G-18-80, being AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive ("Master") Plan by vacation a portion of Yale Drive

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill No. G-80-07-31 — General Ordinance No. G-18-80; Bill No. Z-80-07-13 — Zoning Map Ordinance No. Z-24-80 and Bill No. Z-80-07-12 — Zoning Map Ordinance No. Z-23-80, were duly passed by the Common Council on the 23rd day of September, 1980, said Ordinances ware duly signed and approved by the Mayor on the 26th day of September, 1980, and now remains on file and on record in my office.

Copy of Bill No. G-80-07-31 — General Ordinance No. G-18-80, Bill No. Z-80-07-13 — Zoning Map Ordinance No. Z-24-80 and Bill No. Z-8007-12 — Zoning Map Ordinance No. Z-23-80, will be posted for reading in the following places in Fort Wayne, Allen County, Indiana.

(1) The main floor lobby of the City-County Building

(2) The bulletin board in the lobby of the Downtown Fort Wayne Public Library

(3) The bulletin board in the lobby at the East door of the Allen County Court House

Copy of Bill No. G-80-07-31 — General Ordinance No. G-18-80, Bill No. Z-80-07-13 — Zoning Map Ordinance No. Z-24-80 and Bill No. Z-80-07-12 — Zoning Map Ordinance No. Z-23-80, will be available for reading in the following places in Fort Wayne, Allen County, Indiana

(1) Reference Room in the north end of the main floor in said Downtown Library

(2) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana, Room 122, City-County Building, Fort Wayne, Indiana

CHARLES W. WESTERMAN
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana fulfilled and posted the above ordinancas in the designated places as stated on October 4, 1980.

CHARLES W. WESTERMAN
City Clerk

10—4-11

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned D. Roose who, being duly sworn, says that she is CLERK of the NEWS-SENTINEL a DAILY newspaper of general circulation printed and published in the English language in the city/town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:

10/4 - 10/11/80

D Roose

Subscribed and sworn to before me this 11 th day of October 19 80

Harry V Owen
Notary Public

My commission expires September 28, 1983

Form...

Form Prescribed by State Board of Accounts

General Form No. 99 P(Rev. 1967)

Fort Wayne Common Council
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

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DATA FOR COMPUTING COST

Width of single column 9.6 picas

Size of type 6 point

Number of insertions 2

Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

D Roose

Date Oct.11, 19 80

Title CLERK

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State of Indiana
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